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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

IN RE: CAPACITORS  
ANTITRUST LITIGATION

Master File No. 3:14-cv-03264-JD

**DECLARATION OF ANDREW J.  
NICHOLSON-MEADE IN SUPPORT OF  
UNITED STATES' ADMINISTRATIVE  
MOTION TO FILE AMENDED LEM  
DECLARATION UNDER SEAL**

Date: October 29, 2014

Time: 9:30 a.m.

Judge: Honorable James Donato

I, Andrew J. Nicholson-Meade, hereby declare as follows:

1. I am a Trial Attorney for the United States Department of Justice, Antitrust Division ("DOJ"). I am one of the DOJ attorneys assisting the grand jury's investigation of the capacitors industry. I make this declaration in support of the United States' Administrative Motion to File Amended Lem Declaration Under Seal.

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2. In support of its motion to intervene (document number 240), the United States filed under seal the Declaration of Jacklin Chou Lem in Support of United States' Motion to Intervene ("Lem Declaration") on October 22, 2014. This Amended Declaration replaces the Lem Declaration, which contained an error in Paragraph 4 which the Amended Lem Declaration explains and corrects.

3. The Amended Lem Declaration, like the Lem Declaration, contains highly sensitive and secret information regarding the grand jury's investigation into possible price fixing and other anticompetitive conduct in the capacitors industry. The Amended Lem Declaration discloses information, which, if made public at this time, would reveal the nature and scope of the grand jury's investigation.

4. The contents of the Amended Lem Declaration are within the scope of Federal Rule of Criminal Procedure 6(e)'s secrecy protection and "any such presumption in favor of access is outweighed by the compelling government interest in maintaining grand jury secrecy." *United States v. Index Newspapers LLC*, 766 F.3d 1072, 1086 (9th Cir. 2014).

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge. Signed on October 24, 2014 in San Francisco, California.

/s/ Andrew J. Nicholson Meade  
 ANDREW J. NICHOLSON-MEADE  
 Trial Attorney  
 Antitrust Division  
 U.S. Department of Justice